

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MANUEL SALAS,

Plaintiff,

ORDER

v.

GREGORY GRAMS, LORI ALSUM, JAMES GREER,
GLORIA MARQUARDT, CYNTHIA THORPE, DALIA
SULIENE, R.N. KETARKUS, PAUL PERSSON and STEVE
HELGERSON,

09-cv-237-slc

Defendants.

Plaintiff Manuel Salas claims that defendants violated his Eighth and Fourteenth Amendment rights by discussing his private medical information in the presence of other inmates and staff, and violated his Eighth Amendment rights by failing to protect him from a substantial risk of serious self-harm. Before the court is plaintiff's motion to compel defendants to answer his first set of requests for admission correctly. *See* dkts. 82 and 83.

Unfortunately, plaintiff misunderstands the purpose of requests for admissions.. Fed. R. Civ. P. 36. The purpose of requests for admission is to determine what facts, if any, are not in dispute. When a party denies a request for admission, that fact remains in dispute. Defendants cannot be compelled to admit to facts that they do not believe to be true. In addition, pursuant to Fed. R. Civ. P.326(a)(4), a party can assert insufficient knowledge to admit or deny the requested admission.

I have reviewed the defendants responses as set forth in plaintiff's brief in support of his motion to compel and defendants' arguments in their brief in opposition to the motion. I find that defendants' responses are adequate.

Therefore, it is ORDERED that plaintiff's motion to compel defendants to answer his first request for admissions, dkt. # 82, is DENIED.

Entered this 24th day of November, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge